

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ROME DIVISION

IN RE:) BANKRUPTCY CASE
)
HERSCHEL CHARLES WATSON,) NO.: 24-40244-BEM
)
Debtor.) CHAPTER 13
)
)
)
)

OBJECTION TO CONFIRMATION

COMES NOW Guild Mortgage Company LLC (herein, "Creditor"), a secured creditor holding a Security Deed against the real property commonly known as 106 Elm St, Chatsworth, GA 30705 (the "Property"), and for the reasons stated below, objects to confirmation of Debtors' Chapter 13 plan (Doc. No. 3) (the "Plan").

1.

Debtor's Plan lists \$0.00 in arrears and fails to provide for payment of Creditor's prepetition arrearage claim. Creditor has not yet filed a proof of claim but will do so prior to the expiration of the claims deadline. According to preliminary figures, the arrearage is \$449.63.

2.

Confirmation of the Plan should be denied until Debtor amends the Plan to properly treat Creditor's claim.

3.

Creditor reserves the right to raise the failure of Debtor to have made post-petition mortgage payments if at the time of the confirmation hearing that appears to be the case.

WHEREFORE, PREMISES CONSIDERED, Creditor prays that the Court will:

1. deny confirmation,
2. award reasonable attorney's fees, and
3. grant such other and further relief as is just and equitable.

/s/Ciro A Mestres

Ciro A Mestres
Georgia BAR NO. 840253
Attorney for Creditor
McCalla Raymer Leibert Pierce, LLC
1544 Old Alabama Road
Roswell, GA 30076
678-281-6516

In Re:
Herschel Charles Watson

Bankruptcy Case No.: 24-40244-BEM

Chapter: 13

Judge Barbara Ellis-Monro

CERTIFICATE OF SERVICE

I, Ciro A Mestres, of MCCALLA RAYMER LEIBERT PIERCE, LLC, 1544 Old Alabama Road, Roswell, GA 30076, certify:

That I am, and at all times hereinafter mentioned, was more than 18 years of age;

That on the date below, I served a copy of the within OBJECTION TO CONFIRMATION filed in this bankruptcy matter on the following parties at the addresses shown, by regular United States Mail, with proper postage affixed, unless another manner of service is expressly indicated:

Herschel Charles Watson
106 Elm St
Chatsworth, GA 30705

Dan Saeger
Saeger & Associates, LLC, Suite D
706 S Thornton Ave
Dalton, GA 30720

(served via ECF Notification)

K. Edward Safir
Standing Chapter 13 Trustee
Suite 1600
285 Peachtree Center Ave. NE
Atlanta, GA 30303

(served via ECF Notification)

I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Executed on: 03/13/2024
(date)

By: /s/Ciro A Mestres
Ciro A Mestres
Georgia BAR NO. 840253
Attorney for Creditor